

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRELL KONRAD ISCH,
Plaintiff,

No. 1:09-cv-415

-v-

HONORABLE PAUL L. MALONEY

MEIJER, INC.,
Defendant.

ORDER FOR DEFENDANT TO SERVE PLAINTIFF WITH MOTION FOR SUMMARY
JUDGMENT OR, IN THE ALTERNATIVE, TO FILE PROOF OF SERVICE

On June 22, 2009, Defendant Meijer, Inc. filed a motion for summary judgment against Plaintiff Darrell Isch. Under the Local Civil Rules, a party opposing a dispositive motion has 28 days to file a response. *See* W.D. MICH. L.CIV.R. 7.2(c). The deadline for Plaintiff Isch to file his response has expired, assuming he was served with a copy of the motion. Plaintiff Isch is not represented by an attorney and is proceeding *pro se*. Under the Local Civil Rules, “[c]ounsel filing any pleadings or other paper must serve attorneys not registered under this rule and *pro se* parties by nonelectronic service under Rule 5. *A proof of service must be filed.*” W.D. MICH. L.CIV.R. 5.7(i)(iii) (emphasis added). Defendant Meijer has not filed proof that it served its motion for summary judgment on Plaintiff Isch.

Therefore, **IT IS HEREBY ORDERED**, Defendant Meijer shall **SERVE** Plaintiff with its motion for summary judgment in accordance with the Federal Rules of Civil Procedure and the Western District of Michigan’s Local Civil Rules. Defendant Meijer shall **FILE** proof of service with the court. In the event that Defendant Meijer has already served Plaintiff Isch with a copy of its motion for summary judgment, Defendant Meijer shall **FILE** proof of service with the court.

Date: September 1, 2009

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge